IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3754 OF 2006

IN

SUMMONS FOR JUDGEMENT NO.203 OF 2006

IN

SUMMARY SUIT NO.563 OF 2006

National Film Development Corporation
Limited .. Plaintiff.

Versus

Indradhanush TV Pvt. Ltd.,
through its Sole Proprietor
Rajesh Bansal .. Defendant.

Mr.R.M.Azim for plaintiff.
Mr.Sanjay Sinha for defendant.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 21st AUGUST, 2007.

P.C.:

1. Heard learned Advocates for parties.

2. Perused the Notice of Motion and the affidavit in

support so also the ex-parte order passed in Summons for Judgement No.203 of 2006. Considering the fact that the plaintiff's Advocate was absent in the circumstances set out in the affidavit in support and the order passed is ex-parte, in the peculiar facts of this case, same is recalled and set aside. However, this conditional order is passed upon paying the costs quantified at Rs.5,000/- to the defendant within a period of two weeks from today. Cost condition precedent. Upon costs being tendered, Office to post this Summons for Judgement No.203 of 2006 for hearing and final disposal.

3. All contentions of both sides on merits are expressly kept open.

(S.C.Dharmadhikari, J.)